JAN 1 8 2006

Amy J. Pattillo, Patent Attorney P.O. Box 161327 Austin, Texas 78716 PHONE# 512-402-9820 FAX # 512-306-0417

| DATE: <u>1/18/06</u> | | | | | |
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| Number of Pages to Follow | (including cover sheet) 4 | | | | |
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| SEND TO: | United States Patent Office | | | | |
| Examiner: | Avi Gold | | | | |
| Group Art Unit: | 2157 | | | | |
| Fax #: | 571-273-8300 | | | | |
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| FROM: | Amy J. Pattillo | | | | |
| Tel No: | 512-402-9820 | | | | |
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| Docket No. AUS92001396US1 Serial No. 09/915,490 Atty: AJP | | | | | |
| Applicant: BROWN ET AI | <u> </u> | | | | |
| X Transmittal Letter | X Certific | ate of Facsimile | | | |
| Amendment | X Notice | of Appeal | | | |
| Amendment AF | Appeal | Brief (3 copies) | | | |
| Ext. of Time | Reply I | Reply Brief | | | |
| IDS Statement | Change | of Address | | | |
| Other | | | | | |

Fees: Amendment _____ Notice of Appeal 500.00 Appeal Brief ____ Other ____

Deposit Acct. No. 09-0447

JAN 1 8 2006

PTO/SB/21 (09-04)

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| | Application Number | 09/915,490 | , | |
| TRANSMITTAL | Filing Date | 7/26/2001 | | |
| FORM | First Named Inventor | Brown et a | 1. | |
| | Art Unit | 2157 | | |
| (to be used for all correspondence after initial fi | Examiner Name | Avi M Gold | i | |
| | 4 Attorney Docket Number | AUS92001 | 0396US1 | |
| Total Number of Pages III This Sub-masion | | | | |
| | ENCLOSURES (Check a | il that apply | · | |
| Fee Transmittal Form | Drawing(s) | | After Allowance Communication to TC Appeal Communication to Board | |
| Fee Attached | Licensing-related Papers | | of Appeals and Interferences | |
| Amendment/Reply | Petition Retition to Convert to a | | Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) | |
| After Final | Petition to Convert to a Provisional Application Power of Attorney, Revocati | | Proprietary Information | |
| Affidavits/declaration(s) | Change of Correspondence Terminal Disclaimer | Change of Correspondence Address Status Letter Other Enclosure(s) (ple | | |
| Extension of Time Request | Request for Refund | | below): | |
| Express Abandonment Request | | | | |
| Information Disclosure Statement | CD, Number of CD(s) | | | |
| Certified Copy of Priority | Landscape Table on C | D | | |
| Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | | nent of any necessary fees or credit any | |
| SIGNAT | URE OF APPLICANT, ATTO | RNEY, O | RAGENT | |
| Firm Name Amy J. Pattillo | | | | |
| Signature Chy 2 | 7 | | | |
| Printed name Amy J. Patillo | | | | |
| Date 1/18/06 F | | | teg. No. 46,983 | |
| CE | RTIFICATE OF TRANSMISS | SION/MAII | LING | |
| | | | ited with the United States Postal Service with P.O. Box 1450, Alexandria, VA 22313-1450 on | |
| Signature | | | | |
| Typed or printed name Amy J. Battillo | | | Date 1/18/2006 1/18/04 | |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradernark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Michael Wayne Brown, et al.

Serial No.: 09/915,490 Confirmation Number: 6710

Confirmation Number: 671

Filed: 7/26/2001

Title: WATERMARKING MESSAGING SESSIONS

Before the Examiner:

Avi M Gold

: Group Art Unit: 2157

: IBM Corporation (AP)

: c/o Amy J. Pattillo

: P.O. Box 161327

: Austin, Texas 78716

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent Office at facsimile number 571-273-8300 on January 18, 2006.

Amy Pattillo

Signature

1/18/06

Date

TRANSMITTAL OF NOTICE OF APPEAL UNDER 37 CFR 41.31

Mail Stop AF Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450

Via Facsimile

Applicant hereby appeals from the Examiner to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

Please charge the fee of \$500.00 for submission of this Notice of Appeal to IBM Corporation Deposit Account No. 09-0447.

The commissioner is hereby authorized to charge any additional fee which may be required or credit any overpayment to IBM Corporation Deposit Account No. 09-0447. A duplicate copy of this document is enclosed.

Respectfully submitted,

Amy J. Pattillo

Attorney for Applicants

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AUS920010396US1

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09/915,490

on 1/18/06

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Michael Wayne Brown, et al.

Serial No.: 09/915,490 Confirmation Number: 6710

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: Group Art Unit: 2157

: IBM Corporation (AP)

: c/o Amy J. Pattillo

: P.O. Box 161327

: Austin, Texas 78716

NOTICE OF APPEAL from the Examiner to the Board of Patent Appeals and Interferences

Mail Stop AF Commissioner of Patents P.O. Box 1450 Alexandria, VA 22313-1450 Via Facsimile

Dear Sir:

Under 37 CFR 41.31, Applicants hereby appeal to the Examiner to the Board of Patent Appeals and Interferences from the last decision of the Examiner. Specifically, the Examiner's Office Action, dated October 19, 2005, finally rejects claims 1, 3, 5-9, 12-14, 16-20, 23-25, 27-31, 34-39, 41-44, 46-49, and 54-56. Applicants appeal the rejection of claims 1, 3, 5-9, 12-14, 16-20, 23-25, 27-31, 34-39, 41-44, 46-49, and 54-56.

Respectfully submitted,

Amy J. Pattillo

Attorney for Applicants

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512-402-9820 (phone)

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